

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 01/31/2022**

VIRGINIA L. GIUFFRE,

Plaintiff,

Case No. 21-cv-6702-LAK

v.

PRINCE ANDREW, DUKE OF YORK,
a/k/a ANDREW ALBERT CHRISTIAN
EDWARD, in his personal capacity,

Defendant.

**LETTER OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON
THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

The United States District Court for the Southern District of New York (the "Court") presents its compliments to the Senior Master of the Queen's Bench Division or other appropriate judicial authority under the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters ("Hague Convention") and the Evidence (Proceedings in Other Jurisdictions) Act 1975, and requests international judicial assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned matter. This Court respectfully requests that the Senior Master of the Queen's Bench Division recognize this Letter of Request from this Court and arrange for its execution, in adherence to the Hague Convention and in the interest of comity.

A. Sender

The Honorable Lewis A. Kaplan, United States District Judge for the Southern District of
New York, New York, New York, United States of America.

B. Central Authority of the Requested State

The Senior Master (for the attention of the Foreign Process Section), Room E16, Royal
Courts of Justice, Strand, LONDON WC2A 2LL (foreignprocess.rcj@justice.gov.uk).

C. Person to Whom the Executed Request Is to Be Returned

This Court hereby requests that the executed Letter of Request and all documents and
materials covered by this Letter of Request be returned to the following attorney for the Plaintiff,
Virginia L. Giuffre, as an officer of this Court:

Sigrid S. McCawley
Boies Schiller Flexner LLP
401 E. Las Olas Blvd., Suite 1200
Ft. Lauderdale, FL 33301
(954) 356-0011
smccawley@bsfllp.com

Legally represented in the United Kingdom by:

David Hunt
Boies Schiller Flexner (UK) LLP
5 New Street Square
London, EC4A 3BF UK
+44 203 908 0733
dhunt@bsfllp.com

As an officer of this Court, Ms. McCawley will act as confidential courier of this Court
and deliver the executed Letter of Request and all related documents and materials directly to me
at the following address:

The Honorable Lewis A. Kaplan
United States District Court for the Southern District of New York
Daniel Patrick Moynihan
United States Courthouse

500 Pearl St.
New York, New York 10007-1312

All documents and materials deposited with the Court in accordance with this Letter of Request will be available to all parties and their counsel.

D. Purpose of Evidence Sought and Requested Date of Receipt of Response

The requested testimony will be used by the parties at trial in support of their claims or defenses. The Court understands that the judicial authorities of the United Kingdom will only grant such a request where it is reasonably expected that the documents sought would be relevant to the issues in dispute at trial. The Court considers that the documents sought are relevant to issues in dispute at trial. The Court accordingly respectfully requests a prompt response to this Letter of Request.

I. HAGUE CONVENTION REQUIREMENTS

This Court requests the assistance more specifically described herein as necessary in the interests of justice. In conformity with Article 3 of the Hague Convention, the undersigned applicant has the honor to submit the following request:

A. Requesting Judicial Authority

The Honorable Lewis A. Kaplan
United States District Court for the Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007-1312

B. Central Authority of the Requested State

The Senior Master
For the attention of the Foreign Process Section
Room E16
Royal Courts of Justice
Strand
LONDON WC2A 2LL, United Kingdom

C. Name of the Case and Identifying Number

All evidence requested will be used in relation to the above-captioned civil lawsuit, which can be identified by the following information:

Case Name: *Virginia L. Giuffre v. Prince Andrew, Duke of York*
Court: United States Federal District Court for the Southern District of New York
Case Number: Case No. 21-cv-06702-LAK

D. Names and Addresses of the Parties and their Representatives

1. Plaintiff

Plaintiff is Virginia L. Giuffre, a citizen of the United States of America.

2. Plaintiff's Representative

Sigrid S. McCawley
Boies Schiller Flexner LLP
401 E. Las Olas Blvd., Suite 1200
Ft. Lauderdale, FL 33301
(954) 356-0011
smccawley@bsfllp.com

David Hunt
Boies Schiller Flexner (UK) LLP
5 New Street Square
London, EC4A 3BF UK
+44 203 908 0733
dhunt@bsfllp.com

3. Defendant

Defendant is Prince Andrew, the Duke of York, also known as Andrew Albert Christian Edward.

4. Defendant's Representatives

Andrew B. Brettler
2049 Century Park East, Suite 2400
Los Angeles, California 90067
(310) 556-3501
abrettler@lavelysinger.com

Gary Bloxsome
Blackfords LLP
20 Farringdon Street
London EC4A 4EN
+44 203 907 7788
gary.bloxsome@blackfords.com

5. The following person is in possession of the witness testimony sought

Shukri Walker
30 Dunstan Road
Golders Green
London NW11 8AA

E. Nature of the Proceedings and Summary of the Case and Relevant Facts

The above-referenced case is a civil lawsuit brought by Plaintiff under the laws of New York seeking money damages for injuries resulting from alleged sexual abuse by Prince Andrew. Plaintiff's complaint against Defendant is attached to this Letter of Request as Exhibit A.

Plaintiff alleges that beginning when she was a minor, she was the victim of sex trafficking and abuse by Jeffrey Epstein. Plaintiff submits that in addition to abusing Ms. Giuffre himself, Epstein also lent her out to other rich and powerful men for sex. One such man was the Defendant, Prince Andrew, the Duke of York. Prince Andrew is alleged to have sexually abused Plaintiff on a number of occasions when she was under the age of 18 including at Epstein's New York mansion and, as relevant to this Letter of Request, in London in 2001 after Plaintiff and Defendant visited the private members' club known as "Tramp" at 40 Jermyn Street, London SW1Y 6DN. The Defendant has denied these allegations and asserts that he has never met Plaintiff and was not at Tramp on the night in question.

Plaintiff has sued Defendant for battery and intentional infliction of emotional distress under New York law. To establish a battery claim, Plaintiff must demonstrate "that there was bodily contact, that the contact was offensive, and that the defendant intended to make the contact

without the plaintiff's consent." *Bastein v. Sotto*, 299 A.D.2d 432, 433 (N.Y. App. Div. 2002).

To establish intentional infliction of emotional distress, Plaintiff must demonstrate, "(1) extreme and outrageous conduct; (2) intent to cause, or disregard of a substantial probability of causing, severe emotional distress; (3) a causal connection between the conduct and injury; and (4) severe emotional distress." *McGrath v. Dominican Coll. of Blauvelt, New York*, 672 F. Supp. 2d 477, 492 (S.D.N.Y. 2009) (internal quotation marks omitted). These claims are civil claims as a matter of New York law.

Plaintiff and Defendant in the present lawsuit currently are engaged in discovery concerning their claims and defenses. The Court accordingly has not addressed the merits of Plaintiff's allegations. The discovery period ends in July 2022, and Plaintiff's claims will be adjudicated at a trial in the second half of 2022.

Plaintiff contends that the information sought by this request is available to the Senior Master of the Queen's Bench Division. This Court respectfully requests that the Senior Master of the Queen's Bench Division act on this request expeditiously.

F. Evidence to Be Obtained

Based on the foregoing, this Court respectfully requests that the Senior Master of the Queen's Bench Division obtain testimony from Shukri Walker, who resides at 30 Dunstan Road, Golders Green, London NW11 8AA, in response to this Letter of Request that may be lawfully obtained by the appropriate judicial authority in its discretion, including any questioning by representatives of the parties, as permitted, that relates to Plaintiff's allegations against Defendant. Ms. Walker has stated publicly in the press that she was a witness to Defendant's presence at Tramp during the relevant time period with a young woman who may have been Plaintiff. *See* Exhibit B (press articles). Ms. Walker has therefore stated herself that she is a

potential witness, and would thus be relevant to this dispute because Plaintiff contends that Defendant abused her in London after visiting Tramp together, while Defendant denies being at Tramp on the night in question or having ever met Plaintiff.

This Court requests that the questioning cover: Plaintiff's and Defendant's presence at Tramp in March 2001 and any interactions between Plaintiff and Defendant that she witnessed in London in 2001.

II. OTHER REQUIREMENTS

A. Hearing Date

The testimony from the witnesses should be obtained by April 29, 2022, or as soon as practicably possible thereafter, in person or by remote videoconference as appropriate.

B. Formalities

The Court understands that Plaintiff has appointed Boies Schiller Flexner (UK) LLP as its legal representatives in the United Kingdom, solely for the purposes of making any necessary application in respect of this Letter of Request. This Court understands that upon delivery of this Letter of Request to the appropriate judicial authority of the United Kingdom, Plaintiff's legal representatives shall make an application in accordance with the applicable procedural law.

C. Hearing Format

The testimony should be obtained in a format that would be admissible in the above captioned proceedings and should include:

- (1) sworn testimony under the laws of the United States;
- (2) questioning conducted by Plaintiff's and Defendant's attorneys in accordance with the United States Federal Rules of Civil Procedure and Federal Rules of Evidence;
- (3) verbatim transcription and video recording of the testimony; and

(4) questioning conducted in English.

D. Fees and Costs

Plaintiff is responsible for costs and fees associated with the processing and handling of this request by the Senior Master of the Queen's Bench Division and any other expenses payable according to applicable law. The fees and costs associated with the transcription and any fees and expenses incurred by the examiner will be paid for by Plaintiff.

E. Reciprocity

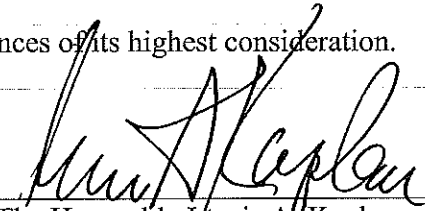
This Court expresses its sincere willingness to provide similar assistance to the courts of the United Kingdom, if future circumstances so require.

III. CONCLUSION

This Court, in the spirit of comity and reciprocity, hereby requests international judicial assistance in the form of this Letter of Request seeking the testimony described herein from the Senior Master of the Queen's Bench Division. This Court extends to all judicial and other authorities of the United Kingdom the assurances of its highest consideration.

Date:

Jan. 31, 2022


The Honorable Lewis A. Kaplan
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007-1312

SEAL OF THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

VIRGINIA L. GIUFFRE,

Plaintiff,

CASE NO:

v.

PRINCE ANDREW, DUKE OF YORK,
a/k/a ANDREW ALBERT CHRISTIAN
EDWARD, in his personal capacity,

Defendant.

COMPLAINT

BOIES SCHILLER FLEXNER LLP

Plaintiff Virginia L. Giuffre, by her attorneys Boies Schiller Flexner LLP, for her Complaint against Defendant Prince Andrew, Duke of York, a/k/a Andrew Albert Christian Edward (“Prince Andrew”), avers upon personal knowledge as to her own acts and status and upon information and belief and to all other matters as follows:

NATURE OF THE ACTION

1. This suit arises out of Defendant’s sexual abuse of Plaintiff when she was under the age of 18 years old.

2. During 2000–2002, beginning when Plaintiff was 16, Plaintiff was the victim of sex trafficking and abuse by convicted sex offender Jeffrey Epstein.

3. Epstein’s trafficking scheme involved recruiting young girls, often by claiming they would be paid \$200 for simply providing a massage to a wealthy billionaire. This same pattern was repeated numerous times with countless children and young women.

4. As United States District Judge Kenneth Marra found, “From between about 1999 and 2007, Jeffrey Epstein sexually abused more than 30 minor girls . . . at his mansion in Palm Beach, Florida, and elsewhere in the United States and overseas In addition to his own sexual abuse of the victims, Epstein directed other persons to abuse the girls sexually. Epstein used paid employees to find and bring minor girls to him. Epstein worked in concert with others to obtain minors not only for his own sexual gratification, but also for the sexual gratification of others.” Opinion and Order, Doc. No. 435 at 1–2, *Jane Doe 1 and Jane Doe 2 v. United States*, Case No. 9:08-cv-80736 (S.D. Fla. Feb. 21, 2019).

5. Like other minor children who came before and after her, Plaintiff was initially recruited to provide massages, and thereafter to engage in a variety of sexual acts, for Epstein. Plaintiff was required to be on call for Epstein for sexual purposes and frequently traveled with

him both nationally and internationally. Plaintiff was regularly abused by Epstein and was lent out by Epstein to other powerful men for sexual purposes.

6. One such powerful man to whom Plaintiff was lent out for sexual purposes was the Defendant, Prince Andrew, the Duke of York.

7. Prince Andrew was a close friend of Ghislaine Maxwell, a British socialite who spent years overseeing and managing Epstein's sex trafficking network, and actively recruited underage girls, including Plaintiff.

8. According to Prince Andrew, he met Epstein through Maxwell in 1999. Prince Andrew thereafter became a frequent guest in Epstein's various homes around the world, including New York City where he sexually abused Plaintiff at Epstein and Maxwell's invitation when she was a minor.

9. After publicly feigning ignorance about the scope of Epstein's sex-trafficking operation and sympathy for Epstein's victims, Prince Andrew has refused to cooperate with U.S. authorities in their investigation and prosecution of Epstein and his co-conspirators.

10. Prince Andrew committed sexual assault and battery upon Plaintiff when she was 17 years old. As such, Prince Andrew is responsible for battery and intentional infliction of emotional distress pursuant to New York common law. The damage to Plaintiff has been severe and lasting.

11. This action has been timely filed pursuant to the Child Victims Act, N.Y. C.P.L.R. § 214-g. The actions described herein constitute sexual offenses by Defendant under New York Penal Law Article 130, and were committed against Plaintiff when she was a child less than eighteen years of age, for which she suffered physical, psychological, and other injuries as a result.

PARTIES

12. Plaintiff Virginia L. Giuffre is an individual who is a citizen of the State of Colorado.

13. Defendant Prince Andrew is a citizen of the United Kingdom, and is currently residing at the Royal Lodge at Windsor Great Park, Berkshire, United Kingdom, where he is domiciled.

JURISDICTION AND VENUE

14. This Court has diversity jurisdiction over this dispute pursuant to 28 U.S.C. § 1332(a)(2). Plaintiff is a citizen of a State and Defendant is a citizen of a foreign state, and the amount in controversy exceeds the sum or value of \$75,000.00 excluding interests and costs.

15. Venue is proper in this Court as a substantial part of the events or omissions giving rise to Plaintiff's claims occurred within this District. 28 U.S.C. § 1391(b)(2).

16. This Court has personal jurisdiction over Defendant as Defendant sexually abused Plaintiff in this state, and has thus committed a tortious action within this State pursuant to New York's long-arm statute, N.Y. C.P.L.R. § 302(a)(2). Defendant also visited Jeffrey Epstein in this State on numerous occasions. Defendant could reasonably anticipate that a suit based upon his acts and omissions with respect to Plaintiff could result in him being subject to suit in this State, and this suit arises directly out of the Defendant's acts or omissions with respect to Plaintiff in this state.

FACTUAL ALLEGATIONS

A. Epstein's Sex Trafficking Enterprise

17. Jeffrey Epstein was widely renowned as a billionaire who used his vast connections to powerful individuals, and seemingly unlimited wealth and resources, to create a web of

transcontinental sex trafficking that served himself, his coconspirators, and some of the most powerful people in the world.

18. Ghislaine Maxwell is a British socialite and the daughter of disgraced publishing tycoon Robert Maxwell. Maxwell was the highest-ranking recruiter in Epstein's sex-trafficking enterprise. Maxwell is currently facing criminal charges in the Southern District of New York stemming from her role in Epstein's sex-trafficking enterprise, and is set to face trial in the fall.

19. Epstein had perfected a scheme for manipulation and abuse of young females. As part of the scheme, Maxwell or another female recruiter would approach a young girl and strike up a conversation in an effort to quickly learn about the girl's background and any vulnerabilities they could expose. Epstein's recruiters found their targets everywhere and anywhere, including schools, spas, trailer parks, and the street.

20. The recruiter would then manipulate the young female into coming back to one of Epstein's residences by offering the young girl something she needed, depending on her situation. In many cases, the recruiter sought out girls who wanted to be professional masseuses and invited them to one of Epstein's homes by offering them what appeared to be legitimate masseuse positions.

21. Once in the residence, Epstein and his co-conspirators would work in concert to impress and intimidate the young female with displays of vast wealth and power. They would brag about their connections to very powerful political and social figures, and display photographs of themselves with those figures around Epstein's homes. They would normalize the sexual abuse by displaying photographs and art displaying nude females, and a massage table and spa related products in an effort to legitimize the area where the abuse was set to occur.

22. Once abused, Epstein and Maxwell continued to manipulate their victims, using their financial power, promises, and threats to ensure that the victim returned as directed and remained compliant with their demands. Epstein and his lawyers would even gather information about the victims to use against them if they ever disobeyed him, and his homes were under constant surveillance.

23. Message pads recovered during trash pulls at Epstein's Palm Beach mansion reflect messages that his staff took to relay to Epstein. They show the constant flow of girls to Epstein, sometimes three per day. Epstein's employees have also described young girls constantly being present at Epstein's different homes. Epstein's constant access to young girls is also evidenced in his "Black Book," a book of phone numbers and contact information listing girls to call for "massages" in various cities, flight logs documenting his frequent travel with young girls and powerful individuals on his private plane, and troves of lewd photographs of young girls recovered from his homes. In his Black Book, Epstein had at least 12 different contact numbers listed for Prince Andrew.

24. Plaintiff became a victim of sex trafficking and repeated sexual abuse after Maxwell recruited her into Epstein's sex-trafficking operation when Plaintiff was working at the Mar-A-Lago Club in Palm Beach, Florida.

25. Between 2000 and 2002, Epstein sexually abused Plaintiff at numerous locations including his mansion in this District, at 9 East 71st Street, New York, New York 10021.

26. Epstein also flew Plaintiff on his plane nationally and internationally numerous times when she was under the age of 18. Only portions of the flight logs of Epstein's private planes have yet been recovered, and Epstein also flew Plaintiff frequently on commercial airlines to meet him and others. However, the chart below, which shows Plaintiff's flights on Epstein's private

28. As part of their sex trafficking efforts, Epstein and Maxwell intimidated Plaintiff into remaining silent about what had happened to her.

B. Defendant's Relationship with Epstein and Maxwell

31. According to available flight logs, Prince Andrew began flying with Epstein on his private plane as early as 1999, when he flew with Epstein and Maxwell to Epstein's private island, Little St. James. Prince Andrew's name also appears in other available flight log entries from

around the same time, showing travel with Epstein and Maxwell to and from other locations, including West Palm Beach, Florida, and Teterboro, New Jersey.

32. In 2000, Epstein and Maxwell attended Prince Andrew's 40th birthday party. That same year, Prince Andrew threw Maxwell a birthday party in Sandringham, United Kingdom, and Epstein was among the guests.

33. In 2006, Prince Andrew invited Epstein to his daughter's 18th birthday party, despite Epstein being charged with procuring a minor for prostitution only one month prior.

34. Prince Andrew has himself confirmed that he has been on Epstein's private plane, stayed at Epstein's private island, and stayed at Epstein's homes in Palm Beach, Florida, and New York, New York. *See Prince Andrew's links to Jeffrey Epstein*, BBC News (Nov. 16, 2019), available at <https://www.bbc.com/news/uk-49411215>.

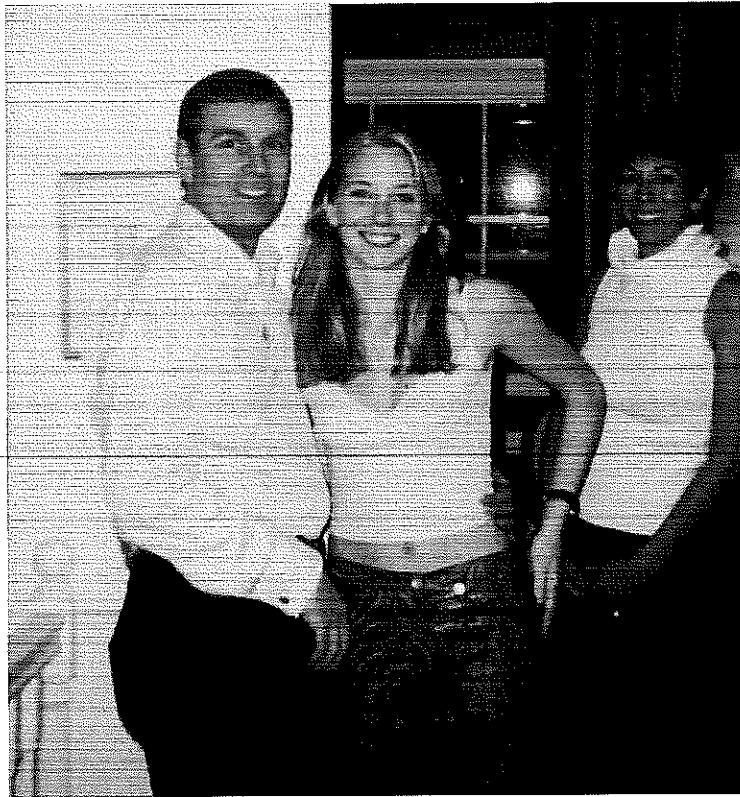
35. Members of Epstein's house staff have confirmed witnessing Prince Andrew visit Epstein's numerous homes, both to the media and in sworn testimony.

C. Defendant's Sexual Abuse of Plaintiff

36. Prince Andrew abused Plaintiff on separate occasions when she was under the age of 18 years old.

37. On one occasion, Prince Andrew sexually abused Plaintiff in London at Maxwell's home. During this encounter, Epstein, Maxwell, and Prince Andrew forced Plaintiff, a child, to have sexual intercourse with Prince Andrew against her will.

38. The below photograph depicts Prince Andrew, Plaintiff, and Maxwell at Maxwell's home prior to Prince Andrew sexually abusing Plaintiff.



39. On another occasion, Prince Andrew sexually abused Plaintiff in Epstein's New York mansion in this District. During this encounter, Maxwell forced Plaintiff, a child, and another victim to sit on Prince Andrew's lap as Prince Andrew touched her. During his visit to New York, Prince Andrew forced Plaintiff to engage in sex acts against her will.

40. On another occasion, Prince Andrew sexually abused Plaintiff on Epstein's private island in the U.S. Virgin Islands, Little St. James.

41. During each of the aforementioned incidents, Plaintiff was compelled by express or implied threats by Epstein, Maxwell, and/or Prince Andrew to engage in sexual acts with Prince Andrew, and feared death or physical injury to herself or another and other repercussions for disobeying Epstein, Maxwell, and Prince Andrew due to their powerful connections, wealth, and authority.

42. During each of the aforementioned incidents, Prince Andrew acted with intent to compel Plaintiff's submission.

43. Prince Andrew engaged in each of the aforementioned sexual acts with Plaintiff at Epstein and Maxwell's invitation, knowing that she was a sex-trafficking victim being forced to engage in sexual acts with him.

44. During each of the aforementioned incidents, Plaintiff did not consent to engaging in sexual acts with Prince Andrew.

45. During each of the aforementioned incidents, Prince Andrew knew Plaintiff's age based on communications from Epstein and Maxwell.

46. During each of the aforementioned incidents, Prince Andrew sexually abused Plaintiff for the purpose of gratifying his sexual desires.

47. During each of the aforementioned incidents, Prince Andrew was acting in his individual, personal capacity, and was not performing any duty relating to his former role as a trade envoy, any duty relating to his role as a member of the Royal Family of the United Kingdom, or any other official or diplomatic duty or function.

48. Defendant's sexual assault and battery of Plaintiff have caused her, and continue to cause her, significant emotional and psychological distress and harm.

D. The Arrest, Prosecution, and Death of Epstein, and Prince Andrew's Refusal to Cooperate with the Authorities

49. In 2008, Epstein pled guilty in Florida to the charge of procuring a minor for prostitution.

50. In 2010, after Epstein had served his sentence and registered as a sex offender, Prince Andrew was photographed with Epstein in Central Park and stayed at Epstein's New York City mansion.

51. Epstein flippantly referred to his sexual abuse of multiple minors, and the slap on the wrist he had received for it, in a 2011 interview with the New York Post: “Billionaire pervert Jeffrey Epstein is back in New York City—and making wisecracks about his just-ended jail stint for having sex with an underage girl. ‘I am not a sexual predator, I’m an “offender,”’ the financier told The Post yesterday. ‘It’s the difference between a murderer and a person who steals a bagel,’ said Epstein.” See Amber Sutherland, *Billionaire Jeffrey Epstein: I’m a Sex Offender, Not A Predator*, New York Post (Feb. 25, 2011), available at <https://bit.ly/2s3ebwk>.

52. Around the same time, Prince Andrew began to face criticism over his well-publicized friendship with Epstein.

53. In early 2015, after Plaintiff had publicly accused Prince Andrew of sexually abusing her, Prince Andrew emailed Maxwell stating, “Let me know when we can talk. Got some specific questions to ask you about Virginia Roberts.”

54. On July 2, 2019, the U.S. Attorney’s Office for the Southern District of New York (“SDNY”) charged Epstein with sex trafficking conspiracy and sex trafficking in violation of 18 U.S.C. § 1591.

55. Epstein was arrested on July 8, 2019, pursuant to a Sealed Two Count Indictment.

56. Epstein was found dead in his cell at the Metropolitan Correctional Center on August 10, 2019.

57. Just one year before his death, Epstein told a New York Times reporter “that criminalizing sex with teenage girls was a cultural aberration and that at times in history it was perfectly acceptable.” James B. Stewart, *The Day Jeffrey Epstein Told Me He Had Dirt on Powerful People*, N.Y. Times (Aug. 12, 2019), available at <https://www.nytimes.com/2019/08/12/business/jeffrey-epstein-interview.html>.

58. After Epstein's second arrest and death, numerous of his co-conspirators and the wealthy individuals to whom he trafficked girls—including Prince Andrew—began to face increased public scrutiny for having close ties to a convicted sex offender.

59. In November 2019, in response to this renewed scrutiny, Prince Andrew sat for an interview with *BBC Newsnight*. Prince Andrew stated that he did not regret his friendship with Epstein and that he had no recollection of meeting Plaintiff, despite photographic evidence to the contrary.

60. Prince Andrew publicly pledged, including in a statement stepping down from his public duties and in his *Newsnight* interview, to assist the U.S. authorities with their criminal investigation of Epstein and his co-conspirators. *A statement by His Royal Highness The Duke of York* (Nov. 20 2019), available at <https://www.royal.uk/statement-his-royal-highness-duke-york> ("Of course, I am willing to help any appropriate law enforcement agency with their investigations, if required.").

61. Despite this public pledge, Prince Andrew has refused to cooperate with U.S. authorities. Former SDNY U.S. Attorney Geoffrey Berman stated that Prince Andrew had provided "zero co-operation" despite U.S. prosecutors and the FBI contacting Prince Andrew's counsel. *Prince Andrew gives 'zero co-operation' over Epstein inquiry, US prosecutor says*, BBC News (Jan. 27, 2020), available at <https://www.bbc.com/news/uk-51271871>.

62. Prince Andrew and his counsel have also refused to cooperate with counsel for the victims of Epstein's sex trafficking. Counsel for the victims of Epstein's sex trafficking, including counsel for Plaintiff, have repeatedly asked for a meeting or telephone call with Prince Andrew and/or his representatives to enable Prince Andrew to provide whatever facts, context, or explanation he might have, and to explore alternative dispute resolution approaches. Prince

Andrew and his representatives have rejected all such requests, and responded by escalating their vile and baseless attacks on Plaintiff and others.

63. On July 19, 2021, counsel for Plaintiff proposed a tolling agreement that would have enabled Plaintiff not to sue Prince Andrew at this time, while avoiding any argument that her failure to do so caused her claims to be time-barred. Again Prince Andrew stonewalled—ignoring Plaintiff's letter and emails without any reply or response, thereby making this action necessary now. A copy of the July 19, 2021, letter proposing a tolling agreement is attached as Exhibit A to this Complaint.

64. In this country no person, whether President or Prince, is above the law, and no person, no matter how powerless or vulnerable, can be deprived of the law's protection. Twenty years ago Prince Andrew's wealth, power, position, and connections enabled him to abuse a frightened, vulnerable child with no one there to protect her. It is long past the time for him to be held to account.

FIRST CAUSE OF ACTION

(Battery)

65. Plaintiff repeats and re-alleges the allegations stated above as if fully set forth herein.

66. Prince Andrew intentionally committed battery by sexually assaulting Plaintiff when she was a minor. As described above, on multiple occasions Prince Andrew intentionally touched Plaintiff in an offensive and sexual manner without her consent.

67. Prince Andrew's actions constitute sexual offenses as defined in New York Penal Law Article 130, including but not limited to sexual misconduct as defined in Article 130.20, rape in the third degree as defined in Article 130.25, rape in the first degree as defined in Article 130.35,

forcible touching as defined in Article 130.52, sexual abuse in the third degree as defined in Article 130.55, and sexual abuse in the first degree as defined in Article 130.65. *See* N.Y. C.P.L.R. § 214-g.

68. As a direct and proximate result of Prince Andrew's criminal acts, Plaintiff has in the past and will in the future continue to suffer substantial damages, including extreme emotional distress, humiliation, fear, psychological trauma, loss of dignity and self-esteem, and invasion of her privacy.

SECOND CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

69. Plaintiff repeats and re-alleges the allegations stated above as if fully set forth herein.

70. As a direct result of these allegations as stated, Prince Andrew committed intentional infliction of emotional distress against Plaintiff.

71. Prince Andrew's actions, described above, constitute extreme and outrageous conduct that shocks the conscience. Prince Andrew's sexual abuse of a child who he knew was a sex-trafficking victim, and when he was approximately 40 years old, goes beyond all possible bounds of decency and is intolerable in a civilized community.

72. Prince Andrew knew or disregarded the substantial likelihood that these actions would cause Plaintiff severe emotional distress.

73. As a direct and proximate result of Prince Andrew's criminal acts, Plaintiff has in the past and will in the future continue to suffer substantial damages, including extreme emotional distress, humiliation, fear, psychological trauma, loss of dignity and self-esteem, and invasion of her privacy.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment against Defendant, awarding compensatory, consequential, exemplary, and punitive damages in an amount to be determined at trial; costs of suit; attorneys' fees; and such other and further relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all causes of action asserted within this pleading.

Dated: August 9, 2021

BOIES SCHILLER FLEXNER LLP

/s/ David Boies


David Boies
Alexander Boies
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsfllp.com
aboies@bsfllp.com

Sigrid McCawley (*pro hac vice* pending)
401 E. Las Olas Blvd., Suite 1200
Ft. Lauderdale, FL 33301
(954) 356-0011
smccawley@bsfllp.com

Andrew Villacastin
Sabina Mariella
55 Hudson Yards
New York, NY 10001
(212) 446-2300
avillacastin@bsfllp.com
smariella@bsfllp.com

Exhibit B

Eyewitness who says she saw Prince Andrew dancing with his sex accuser 'will testify' in court

 [dailymail.co.uk/news/article-10034947/Eyewitness-says-saw-Prince-Andrew-dancing-sex-accuser-testify-court.html](https://www.dailymail.co.uk/news/article-10034947/Eyewitness-says-saw-Prince-Andrew-dancing-sex-accuser-testify-court.html)

September 28, 2021

Witness who claims she saw Prince Andrew dancing with his sex accuser Virginia Roberts in Tramp nightclub on night he insists he was in Pizza Express 'will testify in court'

- **Shukri Walker will testify in upcoming civil case against Duke of York in New York**
- **Will say she remembers Andrew because she stepped on his foot on dancefloor**
- **Queen's son claims he has no recollection of meeting alleged victim Ms Giuffre**

By Laurence Dollimore For Mailonline

19:11 EST, 27 September 2021 | Updated: 19:54 EST, 27 September 2021

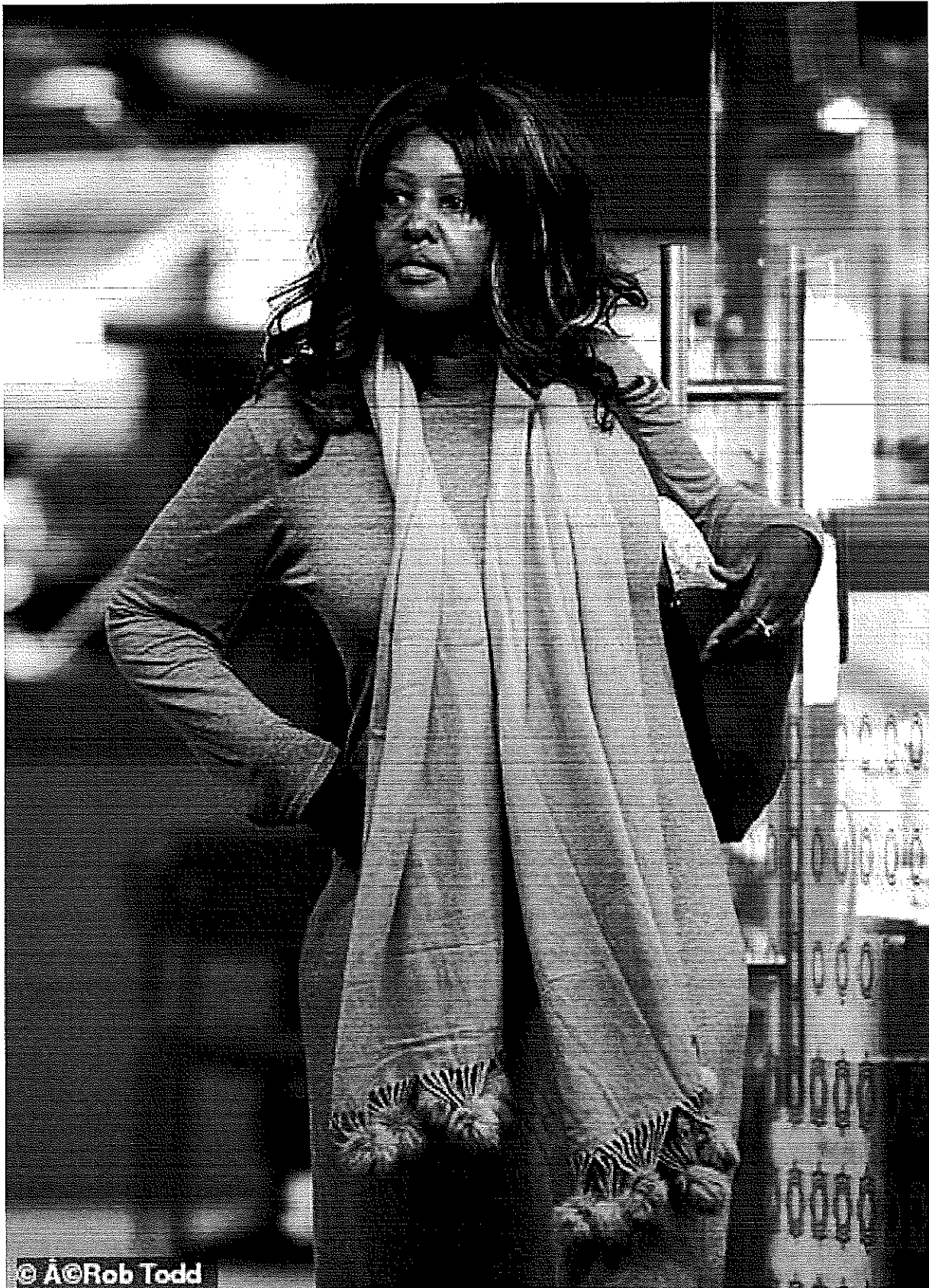
An eyewitness who claims she saw Prince Andrew dancing with his alleged sex abuse victim Virginia Giuffre - on the same night he said he was at Pizza Express - will testify in court.

Shukri Walker has reportedly agreed to appear at the upcoming civil case in the US - where she will tell the court that she saw the Duke of York at Tramp nightclub in London back in 2001.

Somali-born Ms Walker, who lives in London, is expected to stand by a written statement she gave to the FBI, in which she said she vividly remembered apologising to the Queen's son after standing on his foot on the dancefloor, to which she claims he replied: 'No problem.'

She claims Ms Giuffre - aged 17 at the time - was with Andrew, while the royal says he has 'no recollection' of meeting her.

Andrew, 61, is being sued by Ms Giuffre, now 38, in New York over claims he sexually assaulted her on three occasions.



Somali-born Shukri Walker (pictured), who lives in London, is expected to stand by a written statement she gave to the FBI, in which she said she vividly remembered apologising to the Queen's son after standing on his foot on the dancefloor, to which he allegedly replied: 'No problem.'

Ms Giuffre claims one of the alleged attacks happened the night after she visited the Tramp nightclub with him.

Alleged witness Ms Walker said: 'He (Andrew) looked like he was having a great time.

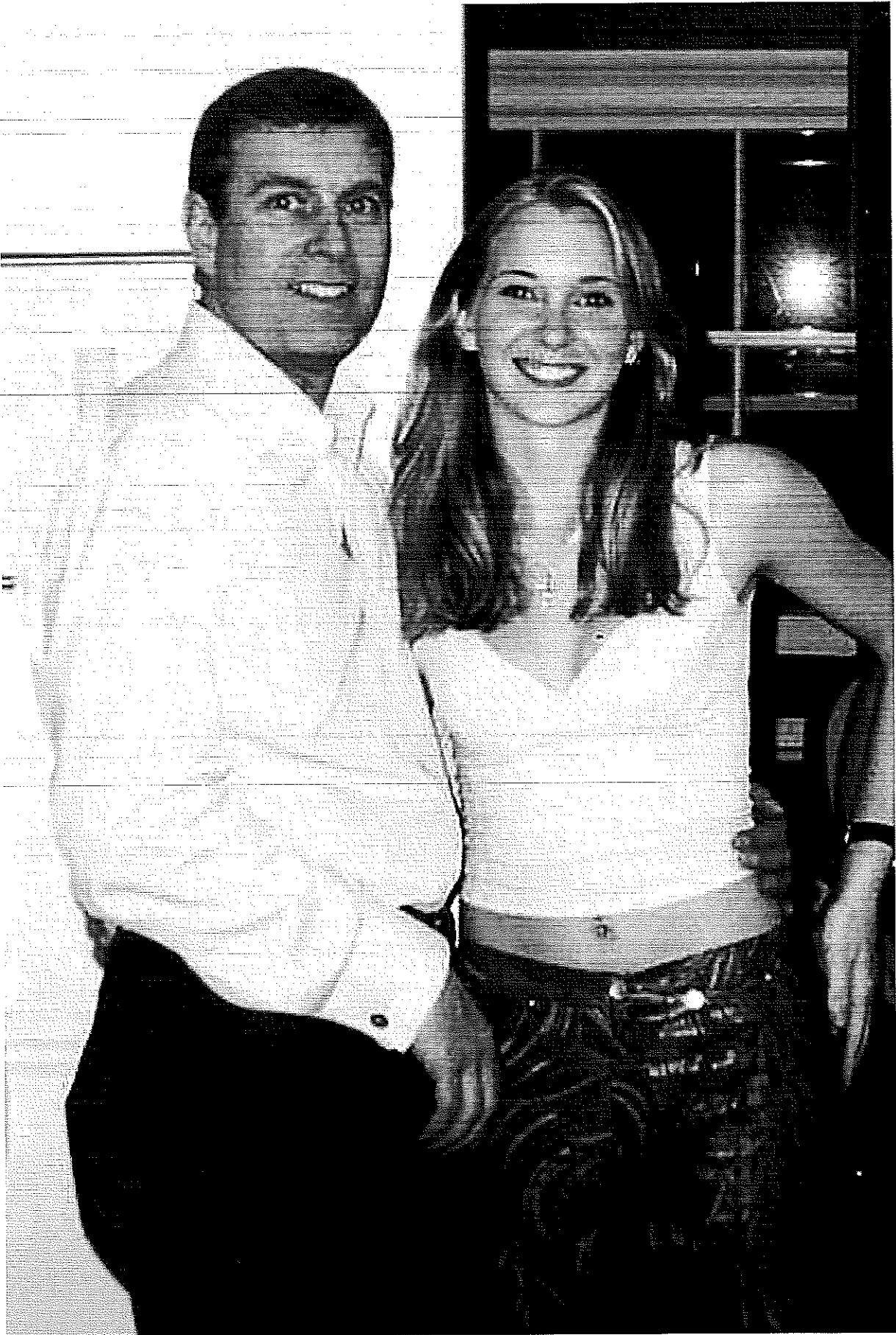
'And he was with this young girl who was close to my own age, perhaps even a bit younger than me.

'The young woman wasn't smiling, it was the opposite of smiles.

'They were with the woman who (had) just been arrested, Ghislaine Maxwell, and Epstein. I will never forget the night because I was told this is a real Prince.'

Andrew also wiped the back of his hand across his face several times, she claimed. The Duke infamously said he 'does not sweat' due to a medical condition.

A source with knowledge of development told the Mirror: 'Shukri is totally convinced she saw Andrew that night and is prepared to stand up in court to say so.



© REX

Andrew, 61, is being sued by Virginia Giuffre, now 38, in New York over claims he sexually assaulted her on three occasions (Pictured together)

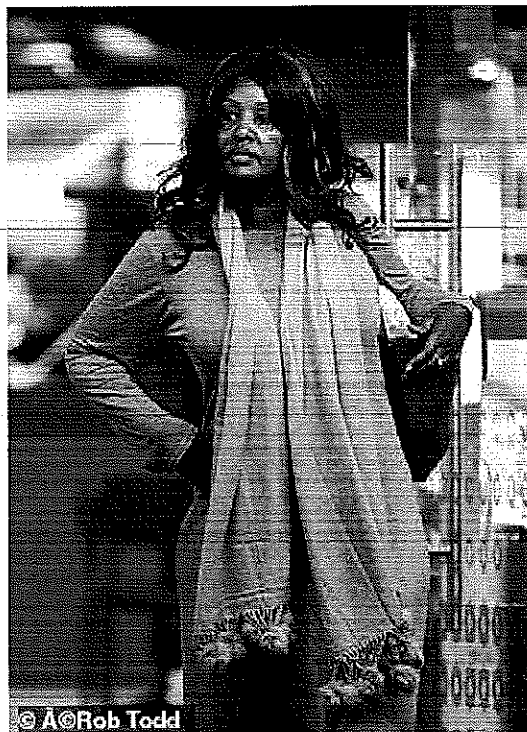
EYEWITNESS FBI TURNED DOWN

Shukri Walker (pictured) — also known as Shukri Mohamed

So far only one person has come forward to state publicly that they saw Prince Andrew dancing with Virginia Roberts in Tramp on the night of March 10, 2001.

In August last year, more than 19 years after they allegedly shared the dancefloor, a London businesswoman gave an account of what she saw.

Somali-born Shukri Walker (pictured) — also known as Shukri Mohamed — said she had decided to speak out after seeing the Duke's Newsnight denials. She told the Sun in a front-page 'exclusive' story that she had also been in Tramp on the night in question and claimed to remember the Duke — and in considerable detail. In fact, she claimed she had trodden on his foot on the dancefloor. Andrew had said 'No problem' when she apologised.



She reportedly recalled: 'He looked like he was having a great time. And he was with this young girl who was close to my own age, perhaps even a bit younger than me.' (Records suggest Ms Shukri was around 28 at the time.) The young woman 'wasn't smiling, it was the opposite of smiles'.

Ms Walker added: 'They were with the woman who has just been arrested, Ghislaine Maxwell, and Epstein. I will never forget the night because I was told this is a real Prince.' Andrew wiped the back of his hand across his face several times, she claimed.

Her lawyer told the Sun that they had offered her testimony to the FBI, but it had been politely declined.

When approached by the Mail at her home in north London, Ms Walker told us: 'I am a sex-trafficking victim.' She claimed journalists hadn't (previously) 'wanted to know' her story. The Mail was then contacted by an American law firm which is representing Ms Walker — as

well as a number of Epstein's alleged victims. A spokeswoman for the firm said: 'She is holding off on any more interviews at this time.'

'With the civil case being launched in the United States she has let it be known that she is willing to testify and tell the truth'

Her lawyer Lisa Bloom, who is representing several of Epstein's victims, last night confirmed her client's position, saying: 'Ms Walker has already given her evidence to the FBI and been very consistent in what she has said.'

'She had never been in the presence of a royal before or since and so it was very memorable to her.'

'If she is called as a witness she will do her duty.'

A friend of the Prince Andrew's last night said: 'Shukri Walker seems to be in a minority of one in her recollections.'

'Tramp nightclub, which does not have either a back or side entrance, was a popular celebrity hang-out and had paparazzi staked outside of its doors every night of the week.'

'It is worth noting that not a single image of the Duke either arriving or leaving Tramps on the weekend in question has ever emerged.'

The Mail Online has contacted a representative for Prince Andrew.

Ms Giuffre claimed the royal also assaulted her in New York and on billionaire paedophile Jeffrey Epstein's Caribbean island.

The Duke's claim that he did not recall meeting Ms Giuffre came despite a photograph emerging of him with his arm around her waist at the home of his friend Ghislaine Maxwell.

Andrew, 61, has consistently and strongly denied the allegations.

It comes as a source close to the Prince told The Times that by launching the civil case, Mrs Giuffre 'has actively invited legal scrutiny of her own version of events'.

The source added: 'This provides an opportunity for the duke's team to properly scrutinise the multiple inconsistencies in her narrative that have emerged over the years, and you can expect to see a rigorous defence of all her allegations.'

Another source said that the decision to bring in the Hollywood lawyer Andrew Brettler was a 'significant turning point in approach', and now the legal team will look to 'robustly engage and challenge the claims from Mrs Giuffre in a bid to provide the duke with a platform to finally clear his name'.

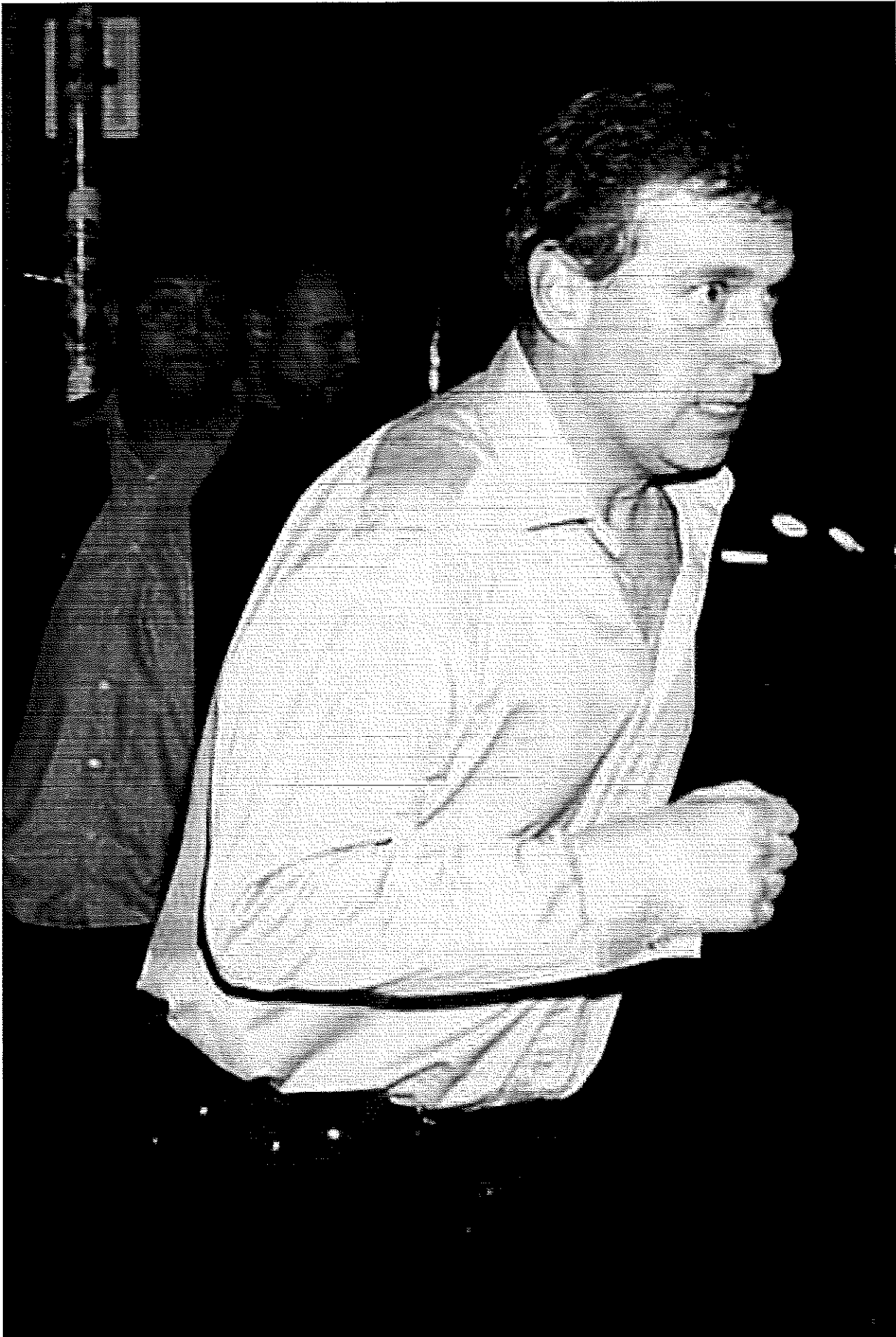
'They will be looking to examine and dismantle the claims one by one,' the source added. 'In light of his position, probably the best thing here would be a settlement to resolve it.'

It comes following reports that Mrs. Giuffre's lawyers have agreed to hand the duke a copy of a 'release' signed in 2009 after her settlement with sex trafficker Jeffrey Epstein.

The Duke of York's attorneys will try to use the clause to exempt him from any fault in her claims against him, the Sun on Sunday reported.

Ms Giuffre's lawyers said the agreement was 'irrelevant' because it only offers protection to lawyers, employees, agents and heirs.

Her lead lawyer, David Boies, said he was happy to hand the document over to Andrew's team in a legal document filed in New York last week.





Prince Andrew, 61, has consistently and strongly denied the allegations

Mr Boies said: 'Although we believe that the release is irrelevant to the case against Prince Andrew, now that service has been accepted and the case is proceeding to a determination on the merits, we believe that counsel for Prince Andrew have a right to review the release and to make whatever arguments they believe appropriate based on it.'


Andrew's lawyers finally acknowledged on Friday that the Prince had been served with legal papers. He now has until October 29 to respond.

A source with knowledge of the proceedings told The Mail on Sunday: 'The decision to bring in high-profile [US lawyer] Andrew Brettler to fight the civil case marks a significant turning point in approach, and the US team will be looking to robustly engage and challenge the claims from Mrs Giuffre in a bid to provide the Duke with a platform to finally clear his name.

'They will be looking to examine and dismantle the claims one by one.'

Andrew has less than two weeks to respond after being officially served with legal papers in Ms Giuffre's civil case.

Woman who saw Prince Andrew 'dancing at Tramps' on Pizza Express night 'will testify'

 metro.co.uk/2021/09/28/prince-andrew-woman-who-saw-him-at-tramps-will-testify-15328768

28 September 2021



Harrison Jones Tuesday 28 Sep 2021 3:23 pm

A woman who believes she saw Prince Andrew dancing with Virginia Giuffre on the night he claims to have been at a Pizza Express in Woking could testify against him.

Shukri Walker is reportedly prepared to provide court testimony against the Duke of York and detail what she allegedly saw at London's Tramps nightclub 20 years ago.

It comes after Andrew accepted that he had been served with papers in a sex assault lawsuit filed by Ms Giuffre in New York.

But he has long denied being at the club with Ms Giuffre, who alleges Andrew sexually assaulted her when she was underage.

Ms Walker, who has made similar comments to newspapers previously, said: 'He (Andrew) looked like he was having a great time.

'And he was with this young girl who was close to my own age, perhaps even a bit younger than me.

'The young woman wasn't smiling, it was the opposite of smiles', the Daily Mirror reported.

'They were with the woman who (had) just been arrested, Ghislaine Maxwell, and (convicted paedophile Jeffrey) Epstein.

'I will never forget the night because I was told this is a real Prince.'

The Prince has repeatedly and emphatically denied being at the venue or having any recollection of meeting Ms Giuffre, though he has been unable to explain how he was pictured with her.

In a now infamous interview with the BBC's Emily Maitlis on Newsnight, he said he was not at the venue that evening, and had been dining at Pizza Express in Woking.

The Duke also denied being able to sweat during the exchange.

But Ms Walker claimed that she saw Andrew wipe the back of his hand across his face several times.

Yet a friend of the Duke's told Metro.co.uk on Tuesday morning: 'We understand that the FBI have previously declined the testimony of Shukri Walker.

'However, she seems to be in a minority of one in her recall.'

They continued: 'Tramp nightclub was a popular celebrity hang-out and had paparazzi staked outside of its doors.

'It is worth noting that not a single image of the Duke either arriving or leaving Tramp on the weekend in question has ever emerged.'

Don't cry JVT fans, have a list of his best moments

But the Mirror reported that a source aware of the development said: 'Shukri is totally convinced she saw Andrew that night and is prepared to stand up in court to say so.

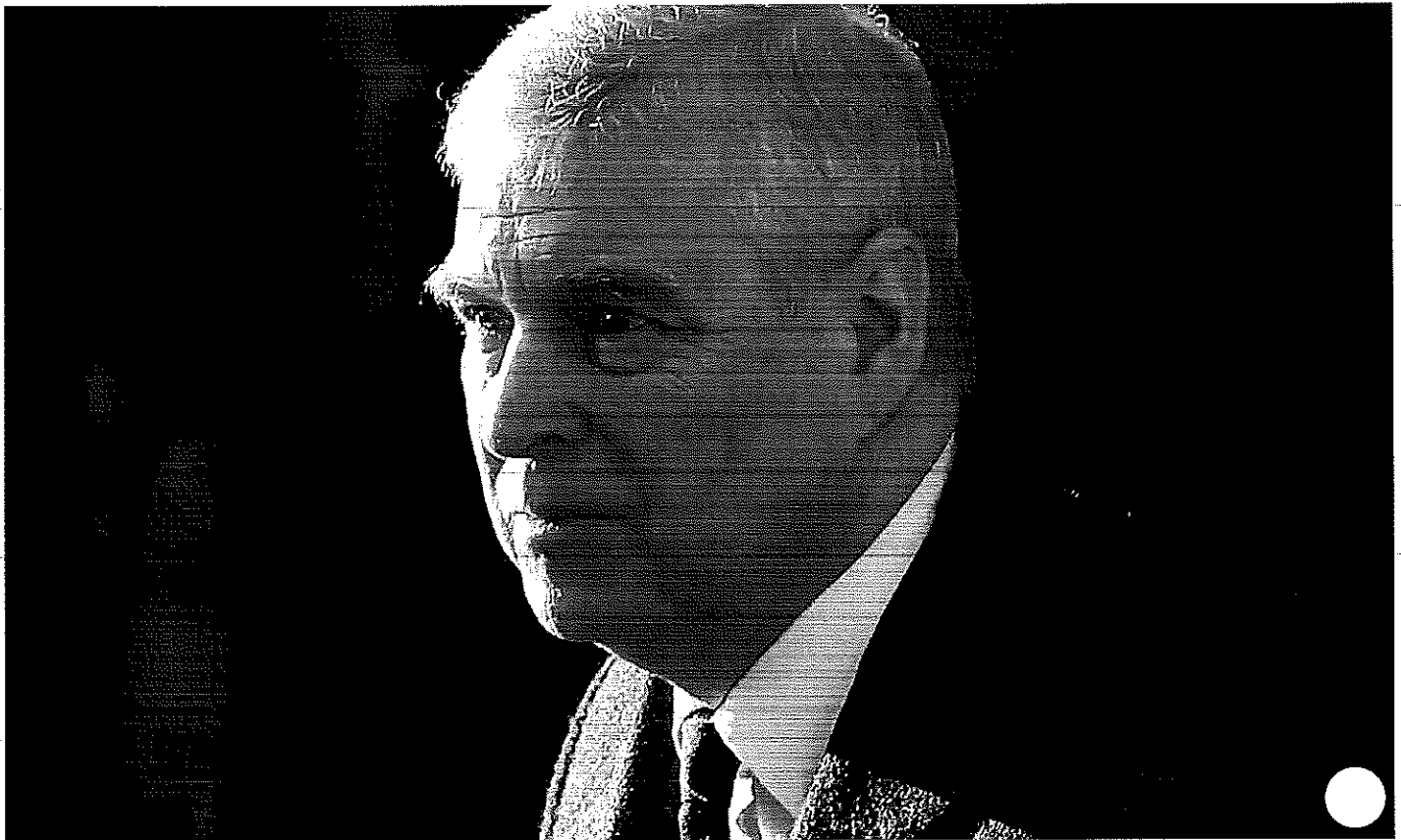
'With the civil case being launched in the United States she has let it be known that she is willing to testify and tell the truth.'

And lawyer Lisa Bloom, who is representing several of Epstein's victims, added: 'Ms Walker has already given her evidence to the FBI and been very consistent in what she has said.

'She had never been in the presence of a royal before or since and so it was very memorable to her.

'If she is called as a witness she will do her duty.'

Sign Up for News Updates



Prince Andrew

🕒 This article is more than 1 year old

Witness claims to have seen Prince Andrew at club with Virginia Giuffre

Woman has come forward claiming she recalls seeing duke at Mayfair nightclub with Giuffre

Caroline Davies

Tue 4 Aug 2020 13.05 EDT

The FBI has been passed information from a witness claiming to have seen the Duke of York at a nightclub with a woman who alleges the pair had sex when she was a teenager.

The US lawyer Lisa Bloom, who is representing the victims of the royal's former friend and convicted sex offender, Jeffrey Epstein, said Shukri Walker recalled seeing Prince Andrew at Tramp nightclub in Mayfair and had come forward to support Virginia Giuffre's version of events.

Giuffre, now 36, who was abused by Epstein, has claimed she had sex with Andrew on three separate occasions, and was aged 17 on the first occasion. Andrew has categorically denied her claims.

In a message to Andrew, Bloom said: “It’s not too late to turn away from your former friends Jeffrey Epstein and Ghislaine Maxwell, and to help the victims get justice. Come clean.”

Andrew has denied Giuffre’s claim he was at the Mayfair club on the night of 10 March 2001, saying he was at home after visiting the Pizza Express restaurant in Woking with daughter Beatrice.



📷 Virginia Giuffre speaking to media in New York last year. Photograph: Bebeto Matthews/AP

Bloom said Walker recalled seeing Andrew at the club with Giuffre, then called Virginia Roberts, and Epstein’s girlfriend, Maxwell.

“My client says she was there and she remembers the night clearly because she never saw a royal before or since,” Bloom confirmed to the Guardian via email. “She says Prince Andrew was happy, smiling and dancing, and Virginia did not look happy. My client was a trafficking victim herself and wants everyone to know that sex trafficking is real, ongoing and devastating.”

Bloom, who represents six alleged victims of Epstein, added: "I gave the FBI all the details of my client's story for further investigation."

Prosecutors working on the Epstein trafficking case have accused Andrew of refusing to cooperate with requests to interview him about his contacts with the financier, who killed himself in a New York prison last year while awaiting trial on child sexual trafficking charges.

Andrew has said in recent weeks that he is cooperating with the FBI investigation into Epstein. The duke, who no longer performs royal duties, has been under increased pressure since Maxwell's arrest last month. She is in jail in the US on charges of trafficking minors for her former partner and will go on trial in July 2021. She has pleaded not guilty.

Lawyers representing the women are demanding that anyone with information about Epstein or Maxwell, including Prince Andrew, assist authorities.

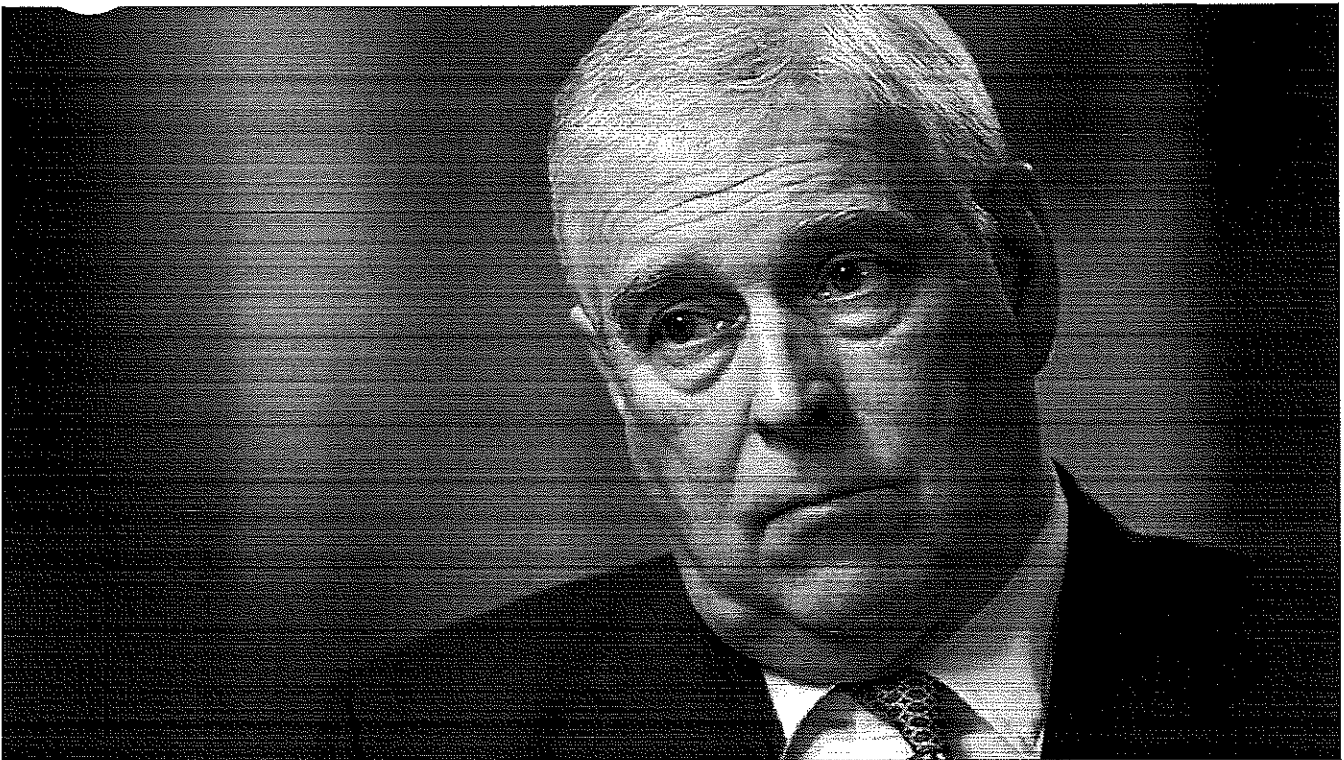
There was no comment from Andrew's legal representatives in relation to this alleged witness sighting. A friend of the duke questioned how accurate recollections of such events could be, 20 years after they happened.

Walker told the Sun newspaper she recalled Andrew being at Tramp because she accidentally stepped on his foot while dancing. She told the paper she had decided to speak out after watching Andrew's denials in the now infamous BBC Newsnight interview about his friendship with Epstein and Giuffre's allegations.

Prince Andrew denies having sex with teenager, saying he took daughter for pizza i...



01:54



and fiercely independent.

In 2021, this support sustained investigative work into offshore wealth, spyware, the 6 January insurrection, the corporate actors behind the climate crisis, and the abuses of Big Tech.

The new year, like all new years, will hopefully herald a fresh sense of cautious optimism, and there is certainly much for us to focus on in 2022 - the US midterms, the ongoing fight for racial justice, the next round in the struggle against the pandemic and a World Cup.

With no shareholders or billionaire owner, we can set our own agenda and provide trustworthy journalism that's free from commercial and political influence, offering a counterweight to the spread of misinformation. When it's never mattered more, we can investigate and challenge without fear or favour.

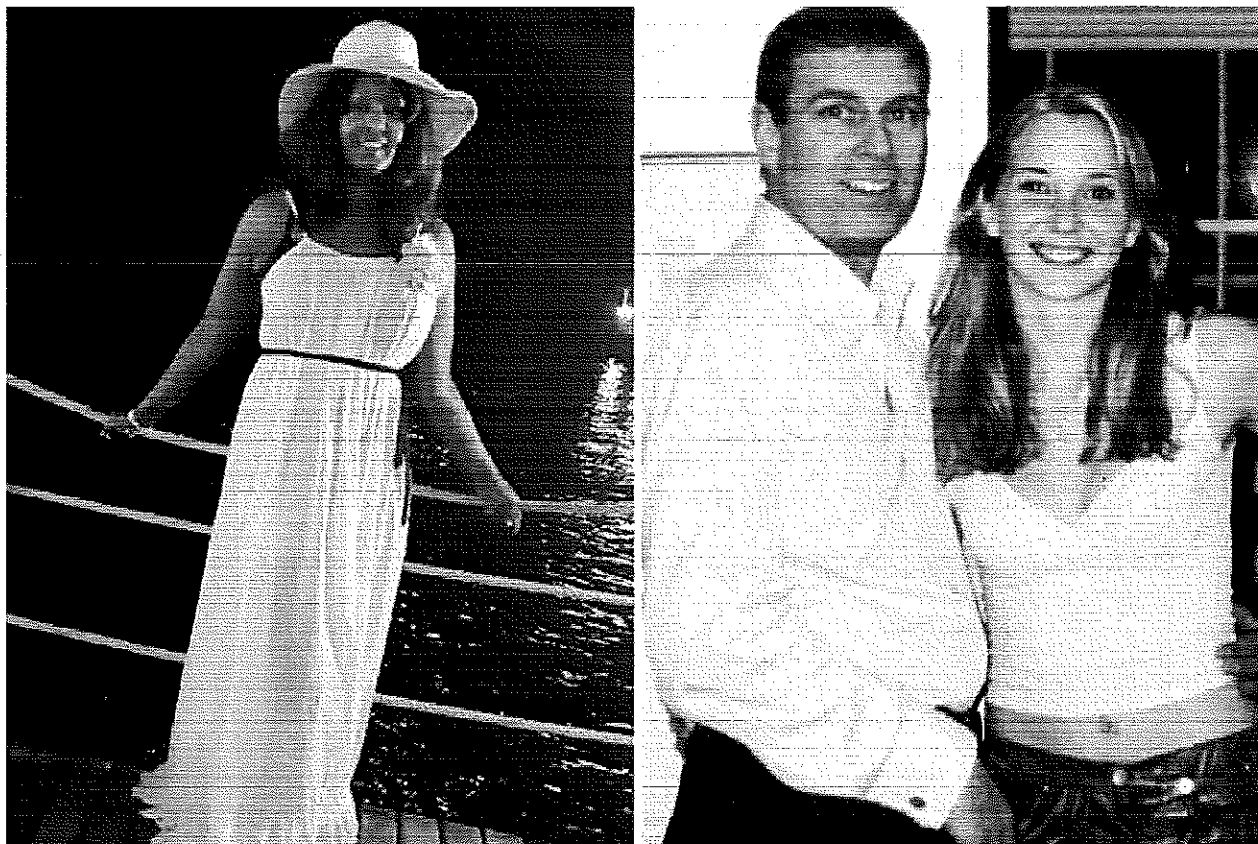
Unlike many other media organisations, Guardian journalism is available for everyone to read, regardless of what they can afford to pay. We do this because we believe in information equality. Greater numbers of people can keep track of global events, understand their impact on people and communities, and become inspired to take meaningful action.

If there were ever a time to join us, it is now. Every contribution, however big or small, powers our journalism and sustains our future. **Support the Guardian from as little as \$1 - it only takes a minute. Thank you.**

Woman who 'saw Prince Andrew dancing with Virginia Giuffre' agrees to testify against him in sex assault case

 the-sun.com/news/3746483/woman-prince-andrew-virginia-giuffre-sex-assault-case

27 September 2021



A WOMAN who "saw Prince Andrew dancing with Virginia Giuffre" has agreed to testify against him in the sex assault case, it's been revealed.

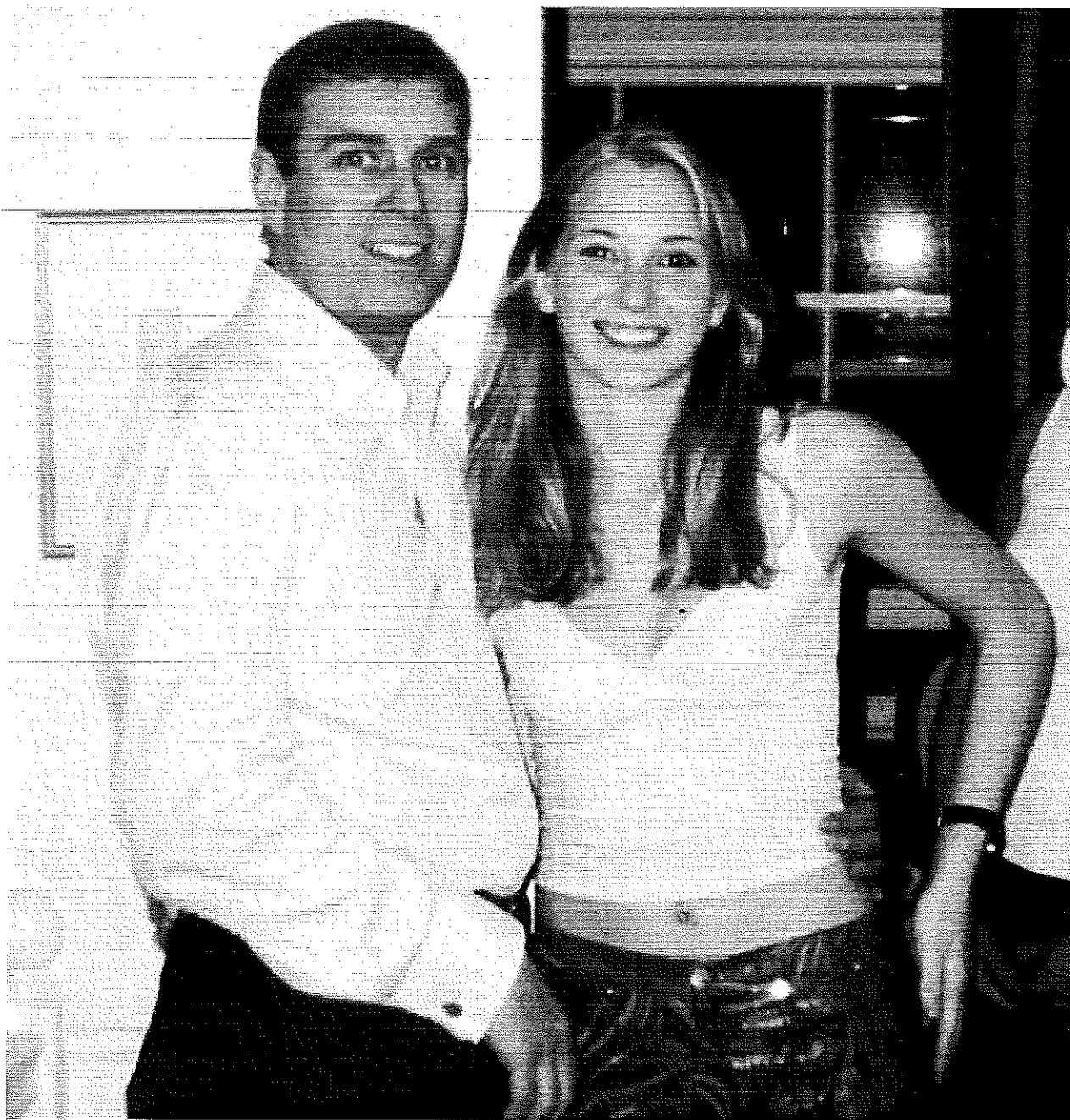
Shukri Walker is prepared to testify against the Duke of York and reveal details of an alleged encounter she had with him at Tramp nightclub in London in 2001.





2

Shukri Walker claims to have seen Prince Andrew in the nightclub



2

Virginia is trying to win damages in a New York civil lawsuitCredit: Rex Features

Ms Walker has already given a written statement to the FBI saying she vividly remembers seeing Andrew with the then 17-year-old, the Mirror reports.

And now she will "do her duty" if called up as a witness, her lawyer said.

Virginia, now 38, claims she was forced to have sex with the duke in London, at Jeffrey Epstein's Manhattan townhouse and on his Caribbean island.

One of the instances where Virginia claims she was forced to have sex with the Prince was after the trip to Tramp in Mayfair.

She is trying to win damages in a New York civil lawsuit.

The Prince has vehemently denied any wrongdoing or knowledge of Epstein's wrongdoing at the time.

Ms Walker's statement could contradict Prince Andrew's claim that he had "no recollection" of meeting Ms Giuffre.

The woman, from London, claims she remembers the night because she apologised to Prince Andrew after standing on his foot on the dancefloor.

But in a BBC Newsnight interview in 2019, Prince Andrew insisted he was not at the nightclub on that night - because he was with his daughter in Pizza Express in Woking, Surrey.

Ms Walker, then 28, said: "He (Andrew) looked like he was having a great time.

"And he was with this young girl who was close to my own age, perhaps even a bit younger than me.

"The young woman wasn't smiling, it was the opposite of smiles.

"They were with the woman who (had) just been arrested, Ghislaine Maxwell, and Epstein. I will never forget the night because I was told this is a real Prince."

Her lawyer Lisa Bloom, who is representing several of Epstein's victims, confirmed her client's position, saying: "Ms Walker has already given her evidence to the FBI and been very consistent in what she has said.

"She had never been in the presence of a royal before or since and so it was very memorable to her.

"If she is called as a witness she will do her duty."

LEGAL BATTLE

This follows news that Prince Andrew's sex assault accuser has agreed to hand over a secret document which his legal team believes may defeat her bombshell lawsuit.

Lawyers for Virginia Roberts Giuffre will give a copy of a “release” signed in 2009 – following her settlement with sex trafficker Jeffrey Epstein – to the duke, The Sun On Sunday revealed.

Andrew’s attorneys hope the clause will exempt Queen’s second son from any culpability in her sex assault claims against him – but Virginia’s lawyers have branded it “irrelevant”.

The secret agreement is said to not apply to the royal – instead releasing lawyers, employees, agents and heirs from liability in connection with the Epstein case.

Virginia’s lead lawyer, David Boies, revealed in a new legal document, filed in New York this week, that he was happy to hand the document over to Andrew’s team.

He said: “Although we believe that the release is irrelevant to the case against Prince Andrew, now that service has been accepted and the case is proceeding to a determination on the merits, we believe that counsel for Prince Andrew have a right to review the release and to make whatever arguments they believe appropriate based on it.

“Accordingly, we have given Mr Epstein’s Estate notice of Prince Andrew’s request and have asked the Estate to consent to our providing a copy of the release to Prince Andrew’s counsel.”

It came as the prince’s US lawyer, Andrew Brettler, finally agreed he had been served – and revealed that the royal would respond to Virginia’s explosive claims by October 29.

The move formally marked an end to Andrew’s wall of silence strategy – with his lawyers promising “dismantle” his sex accuser’s allegations in detail.

Sources close to the Duke of York confirmed to The Sun On Sunday that he is to try and turn the tables on Virginia Roberts Giuffre by challenging her account.

We pay for your stories!
